

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JOSE M. CLASSEN	:	CIVIL ACTION
	:	
v.	:	No. 19-3864
	:	
JOHN DELANEY, et al.	:	

ORDER

AND NOW, this 25th day of September, 2020, upon careful and independent consideration of Petitioner Jose M. Classen's pro se Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2254, and after de novo review of the Report and Recommendation of United States Magistrate Judge Elizabeth T. Hey, to which no objections have been filed,¹ it is ORDERED:

1. The Report and Recommendation (Document 9) is APPROVED and ADOPTED.
2. Classen's Petition for Writ of Habeas Corpus (Document 1) is DENIED with prejudice and DISMISSED without an evidentiary hearing.
3. Classen having failed to make a substantial showing of the denial of a constitutional right, i.e. that reasonable jurists would disagree with this Court's substantive and procedural rulings on Lee's claims, a certificate of appealability shall not issue. *See* 28 U.S.C. § 2253(c)(2); *Slack v. McDaniel*, 529 U.S. 473, 483-84 (2000).

BY THE COURT:

/s/ Juan R. Sánchez
Juan R. Sánchez, C.J.

¹ The Report and Recommendation was sent to Respondents on April 17, 2020, and mailed to Petitioner Jose M. Classen on July 27, 2020. The Report and Recommendation was sent together with a Notice from the Clerk of Court advising the parties of their obligation to file any objections within 14 days after service of the Notice. *See* Local R. Civ. P. 72.1 IV(b) ("Any party may object to a magistrate judge's proposed findings, recommendations or report under 28 U.S.C. § 636(b)(1)(B) . . . within fourteen (14) days after being served with a copy thereof."). To date, no objections have been received by the Court.